



ACQUISITION,
TECHNOLOGY,
AND LOGISTICS

THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

JAN 31 2016

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
DEPUTY CHIEF MANAGEMENT OFFICER
CHIEFS OF THE MILITARY SERVICES
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, COST ASSESSMENT AND PROGRAM EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
DEPARTMENT OF DEFENSE CHIEF INFORMATION OFFICER
ASSISTANT SECRETARIES OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, NET ASSESSMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Change to Major Defense Acquisition Program Milestone A Requirements

Section 823 of the National Defense Authorization Act for Fiscal Year 2016 amended section 2366a of title 10, United States Code, to change the Milestone (MS) A certification requirements for Major Defense Acquisition Programs (MDAPs). Section 823 also made changes to some of the provisions. To satisfy the revised section 2366a requirements, the Milestone Decision Authority (MDA) for MDAPs must sign a "written determination" memorandum prior to granting MS A approval or otherwise initiating a program prior to MS B. For MDAPs for which the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) is the MDA, the following procedures will apply.

The written determination memorandum will be prepared for MDA signature "for the record" and will include the statements shown in Attachment 1 without modification. As under the prior section 2366a, the MDA does not have authority to waive any of the statutory provisions for entry of a program into MS A.

The revised statute requires the MDA to ensure satisfaction of three additional provisions before granting MS A approval. These additional assurances will be treated as part of the written determination. These are the first three provisions stated in the sample memorandum at Attachment 1.

One of the three additional provisions requires the MDA to ensure that: "the Secretary of the military department concerned and the Chief of the armed force concerned concur in the cost, schedule, technical feasibility, and performance trade-offs that have been made with regard to the program...." To document satisfaction of this, the Service (or Component) Acquisition Executive will provide to the MDA a memorandum, using the template at Attachment 2, that has been signed

by the Secretary of the Military Department and the Service Chief, or their respective delegates. If the Secretary and/or the Service Chief delegate this authority, the memorandum will document this delegation and be signed by the appropriate delegate(s). For Joint Programs, the Secretary and Service Chief (or their delegate(s)) of each Service involved must concur prior to MS A approval.

The revised section 2366a provides that the congressional defense committees may, at any time, ask for a copy of the MDA's determination and an explanation of the basis for the determination, which imposes a documentation and record-keeping requirement on the Department. To fulfill this requirement, each section 2366a written determination memorandum signed by the USD(AT&L) will be supported by a "recommendation memorandum," (drafted by Director, Acquisition Resources and Analysis, and concurred with by the Defense Acquisition Board members) that provides an explanation of the basis for the determination and other substantiating information. Both the section 2366a written determination and recommendation memorandums must be uploaded to the Acquisition Information Repository system within five business days of MS A approval.

This policy applies to all MDAPs for which the USD(AT&L) is the MDA and is effective immediately. My point of contact is Dr. Nancy Spruill at 703-614-5737.



Frank Kendall

Attachments:
As stated

SAMPLE

**Required Statement for Milestone Decision Authority Determination Memorandum
Prior to Milestone A Approval**

MEMORANDUM FOR RECORD

SUBJECT: Milestone A Determinations for the *<name of program>* Program

As required by section 2366a of title 10, United States Code (U.S.C.), before granting Milestone A approval for the *<name of program>* program *<or subprogram>*, I have ensured that:

(1) information about the program or subprogram is sufficient to warrant entry of the program or subprogram into the risk reduction phase;

(2) the Secretary of the military department concerned and the Chief of the armed force concerned concur in the cost, schedule, technical feasibility, and performance trade-offs that have been made with regard to the program; and

(3) there are sound plans for progression of the program or subprogram to the development phase.

Also, as required by section 2366a of title 10, United States Code, I have consulted with the Joint Requirements Oversight Council (JROC) on matters related to program requirements and military needs for the *<name of program>* and I have determined:

(1) that the program fulfills an approved initial capabilities document;

(2) that the program has been developed in light of appropriate market research;

(3) if the program duplicates a capability already provided by an existing system, the duplication provided by such program is necessary and appropriate;

(4) that, with respect to any identified areas of risk, there is a plan to reduce the risk;

(5) that planning for sustainment has been addressed and that a determination of applicability of core logistics capabilities requirements has been made;

(6) that an analysis of alternatives has been performed consistent with study guidance developed by the Director of Cost Assessment and Program Evaluation; and

(7) that a cost estimate for the program has been submitted, with the concurrence of the Director of Cost Assessment and Program Evaluation, and that the level of resources required to develop, procure, and sustain the program is sufficient for successful program execution;

(8) that the program or subprogram meets any other considerations the milestone decision authority considers relevant.

TEMPLATE

MEMORANDUM FOR UNDER SECRETARY OF DEFENSE (ACQUISITION,
TECHNOLOGY, AND LOGISTICS)

SUBJECT: Support of *<name of program>* Program Entry into Milestone A

The *<name of program>* program is preparing to enter into Milestone A. In accordance with paragraph (a)(2) of section 2366a of title 10, United States Code, this is to notify you that the undersigned concur in the cost, schedule, technical feasibility, and performance trade-offs that have been made with regard to the *<name of program>* program.

The Service's point of contact for programmatic considerations is *<name, etc.>*.

*<Signatures of the military department concerned and the
Chief of the armed force concerned; or their
delegatee(s)>*